REMARKS

The present application is a continuation of U.S. Patent Serial No. 09,911,337, filed July 23, 2001, entitled "SYSTEM AND METHOD FOR USER ADAPTIVE SOFTWARE INTERFACE." An Office Action was issued in the parent application on September 10, 2003. In response thereto, Applicant filed an amendment on October 17, 2003 by amending the claims according to subject matter that was indicated as being allowable by the Examiner. In the present application, Applicant continues prosecution of subject matter cancelled from the parent application. Applicant has also added new claims. Original claims 7, 15, 16, and 19-23 are cancelled.

Rejections under 35 U.S.C. § 102(a)

In the parent application, claims 1, 8, and 17 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,339,436 to Amro et al. (hereinafter Amro).

It is well settled that to anticipate a claim, the reference must teach every element of the claim. *See* M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim." *See* M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *See* M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicant respectfully submits that Armo does not satisfy these requirements.

Claim 1 recites, in part:

> code for monitoring user events;
> code for determining whether a series of user events is unrelated; and
> code for offering assistance to a user, wherein said code for offering assistance is operable upon determination by said code for determining that said series of user events is unrelated.

Claim 8 recites, in part:

> monitoring operating system events associated with input from a user to generate a series of operating system events;
> determining whether said series of operating system events is unrelated; and
> when said series of operating system events is unrelated, offering help to said user.

Claim 17 recites, in part:

> means for monitoring user input;
> means for determining whether a series of events is a unrelated series; and
> means for offering assistance to said user, wherein said means for offering assistance is operable to offer assistance when said means for determining determines that said series of events is a unrelated series.

Armo discloses a system for providing user-defined dynamic help text functionality. *See* Abstract of Armo. The help text functionality is implemented using a thread that monitors events of an application for "spy events," such as display of a particular screen or the selection of a menu option. Col. 2, lines 42-54. When the monitoring thread detects a spy event, the thread searches the user-defined help text file for content related to the detected spy event. Col. 2, lines 63-66. If help content is present in the file, the monitoring thread makes the content available to the user. Col. 2, line 66 - col. 3, line 2. Accordingly, Armo processes events on a discrete basis and does not attempt to determine a relationship between a plurality of events. Thus, Armo does not disclose determining whether a series of events are unrelated in the manner recited by claims 1, 8, and 17.

Applicant submits that claims 1, 8, and 17 are not anticipated by Armo.

Rejections under 35 U.S.C. § 103(a)

In the parent application, claim 2 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Amro.

Claims 3-6, 9-14, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Amro in view of U.S. Patent No. 5,991,756 to Wu (hereinafter Wu).

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to

combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Applicant submits that the cited art does not satisfy these criteria.

Claim 1 recites, in part:

> code for monitoring user events;
> code for determining whether a series of user events is unrelated; and
> code for offering assistance to a user, wherein said code for offering assistance is operable upon determination by said code for determining that said series of user events is unrelated.

Claim 8 recites, in part:

> monitoring operating system events associated with input from a user to generate a series of operating system events;
> determining whether said series of operating system events is unrelated; and
> when said series of operating system events is unrelated, offering help to said user.

Claim 17 recites, in part:

> means for monitoring user input;
> means for determining whether a series of events is a unrelated series; and
> means for offering assistance to said user, wherein said means for offering assistance is operable to offer assistance when said means for determining determines that said series of events is a unrelated series.

For the reasons discussed above, Armo does not teach or suggest determining whether a series of events are unrelated in the manner recited by claims 1, 8, and 17. Furthermore, Wu is related to a search engine that returns documents according to multi-term queries. *See* Abstract of Wu. Because the system disclosed in Wu involves a search engine deployed on a web server, Wu is not concerned with events occurring on the user's system. Thus, Wu does not teach or suggest analyzing or processing events in any manner and certainly not in the manner recited by claims 1, 8, and 17.

Thus, the cited art (either alone or in combination) does not teach or suggest each and every limitation of claims 1, 8, and 17. Claims 2-6, 9-14, and 18 respectively depend from base claims 1, 8, and 17 and, hence, inherit all limitations of claims 1, 8, and 17. Therefore, the cited art does not establish a prima facie case of obviousness for these claims.
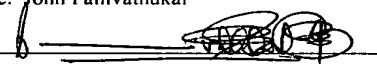
New Claims

       Applicant has added new claims 24-31. These claims are supported by, inter alia, paragraphs [0009]-[0024] of the application. No new matter has been entered. Claims 24-31 respectively depend from base claims 1, 8, and 17 and, hence, inherit all limitations of their respective base claim. Claims 24-31 are patentable over the cited art for the reasons discussed above with respect to claims 1, 8, and 17. Additionally, Applicant submits that the cited art does not teach or suggest the limitations explicitly recited in claims 24-31.

Respectfully submitted,

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